
Representations to the Sevenoaks District Council Draft Local Plan

Regulation 18 Consultation

Old Barn Farm, Mill Road, Edenbridge

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1. Executive Summary

- 1.1. On behalf of our client Miller Homes (herein referred to as “our client”), Savills has prepared this representation to the Regulation 18 consultation on the Emerging Local Plan for Sevenoaks District Council (SDC). This is the first consultation being undertaken by SDC which presents the draft policies which the Council is proposing to take forward in their Plan.

The Purpose of the Representations

- 1.2. These representations seek to provide observations on specific policies and paragraphs in the Emerging Plan, in addition to the Proposed allocated sites Map, in the context of the proposals for Land at Old Barn Farm, Edenbridge, herein referred to as “the Site”.
- 1.3. Paragraph 35 of the NPPF Revision sets out the four tests to ensuring a sound Plan:
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
 - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework”*
- 1.4. These representations also emphasise instances where it is considered that SDC needs to update their Plan, as part of the next consultation, to ensure that the above tests of soundness are met.

The Site

- 1.5. This representation is made in respect of Old Barn Farm, Edenbridge. The Site comprises approximately 63 hectares of land to the south west of Edenbridge, within the administrative boundary of Sevenoaks District Council (SDC). The Site is adjacent to the settlement boundary of Edenbridge, designated as Green Belt, and is primarily classified as falling within Flood Zone 1, with an area of the site falling within Flood Zone 2 running centrally across the Site from west to east.

1.6. The Site is currently utilised as agricultural fields, with one primary field dominating the site and two smaller fields to the east. The Site is shown in its wider context below:

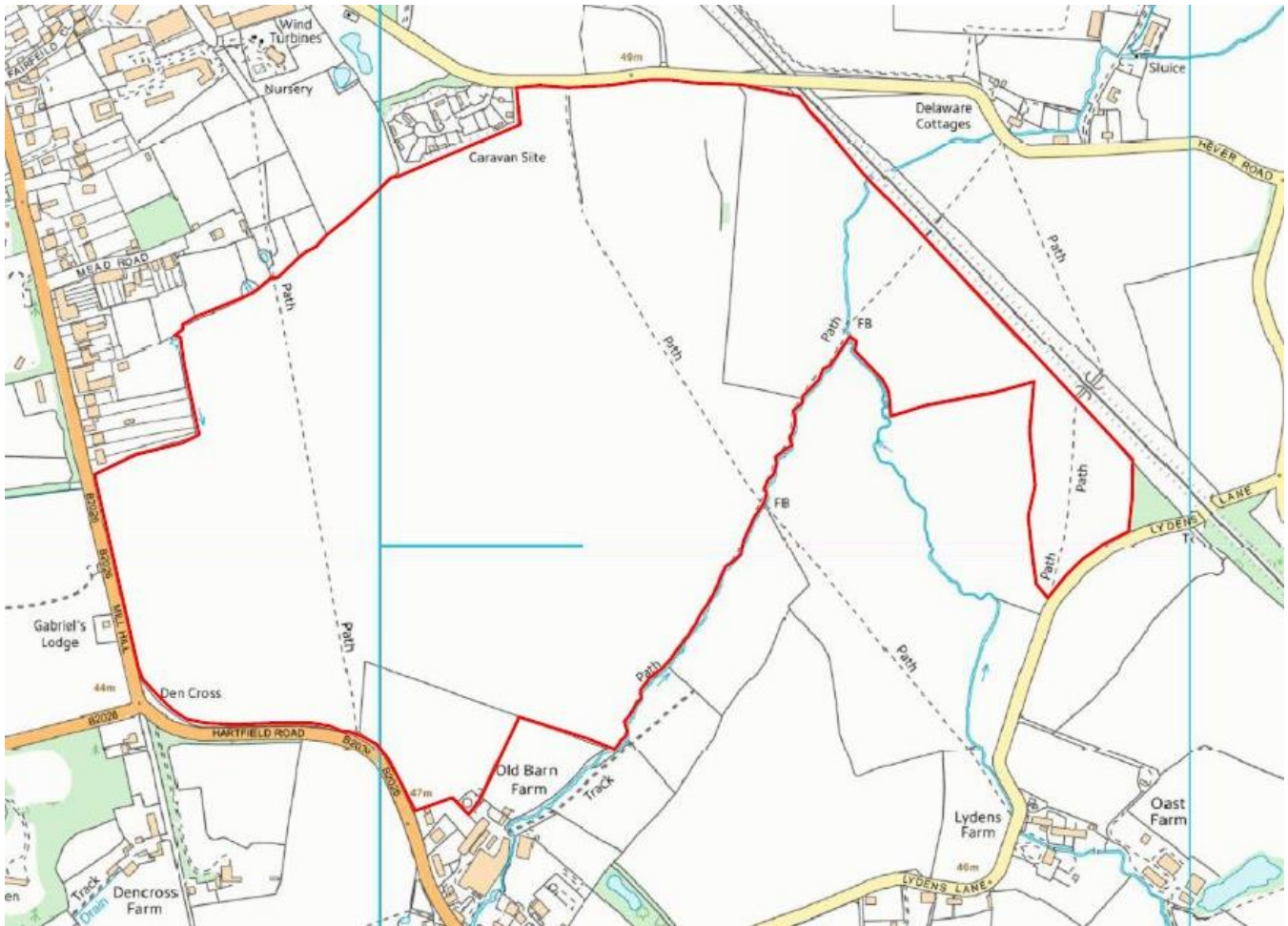


Figure 1: Site Plan

- 1.7. In terms of a general location, the Site is bordered to the west by the B2026 (Mill Hill / Hartfield Road), to the north by Hever Road, to the east by a railway line, and to the south by a tributary of the River Eden. It is within easy access of the local road network serving the area that provides easy access to the M25 as well as nearby villages and towns.
- 1.8. The Site is also located in close proximity to existing public transport, with bus stops adjacent to the western boundary of the Site with limited services to Edenbridge, Hever and Tunbridge Wells. Edenbridge Town train station is located approximately 1.5km away, and provides services every 30 minutes to Uckfield, East Croydon and London Bridge. It is noted that there are two train stations in Edenbridge, the second being located to the north of the town. This provides additional services between Redhill and Tonbridge, and, through a change at Redhill, access to Gatwick Airport within a 35 to 40 minute journey.

- 1.9. Within Sevenoaks District, Edenbridge is identified in the Settlement Hierarchy (April 2018) Document as a town, alongside Swanley and Westerham. This ranking has been based upon a cumulative score including the population of the area, the number of available services, and a combined population, Green Belt and employment score. This places Edenbridge as second in the settlement hierarchy of the District, behind only the urban area of Sevenoaks, which is classified as a principle town. The Settlement Hierarchy Document identifies Edenbridge as the third largest settlement in the District, with a good range of services and facilities, albeit a shortfall in some service provision is also noted.
- 1.10. In this regard, the need for improved facilities within Edenbridge has been identified both colloquially and more formally in the emerging Neighbourhood Plan. Notably this includes the need for an improved doctors surgery, the lack of a secondary school, the need for improved infrastructure, a need for local care home beds, and a lack of overnight visitor accommodation.
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Proposals

- 1.11. The development of the Site for a residential-led scheme has been assessed and refined in line with its existing topography and environmental constraints, and ultimately provides a landscape-led approach. In particular development on the Site has been influenced by its surroundings and the following key considerations:
- Clear defensible boundaries separating the Site from the wider surrounding area;
 - Boundary and in-Site planting including mature trees providing screening;
 - Topography and planting creating a natural environment in which development will be less visible;
 - A need to ensure that any development of the Site is not visually prominent in the countryside and has minimal impact on the sensitive landscape of the AONB (situated to the south of the site).
- 1.12. The design of the proposed development is currently being refined, but it has been informed by landscape and flooding specialists who have provided technical feedback on the Site (Appendix 2 and Appendix 3). This has allowed the proposal to respond effectively to the Site's constraints. The proposed development of the Site therefore comprises of the following:
- Development of up to 300 dwellings
 - Provision of C2 care
 - Creation of a Community Hub
 - Publically accessible parkland, improving the Green Belt through providing access for the public and biodiversity enhancements
 - Reintroduction of historic hedgerow patterns across the site
- 1.13. An Illustrative Framework Plan is provided at Appendix 1 and is referred to where applicable throughout these representations.

2. National Planning Policy Position

2.1. This section sets out the planning policy context for the Site, and considers the National and Local policies that are relevant to the Site and the proposed scheme.

National Planning Policy Framework Revision

2.2. The original National Planning Policy Framework (NPPF) came into force in March 2012. On 24 July 2018 the NPPF Revision was published. The NPPF Revision is a material planning consideration in the Plan making and decision-taking processes.

2.3. As a result, SDC are required to have due regard to National Policy as contained in the NPPF and associated Planning Practice Guidance (PPG) when preparing its Plan.

2.4. From the date of publication of the NPPF Revision (24 July 2018) there is a transitional period of 6 months which applies, enabling those Local Planning Authorities (LPAs) who have progressed their Plan to continue through the examination process under the 2012 NPPF. This timeframe expires on the 24th January 2019. Beyond this time, the NPPF Revision will apply.

2.5. SDC are committed to a delivery timescale that will see their Plan submitted for inspection in early 2019 but after the deadline. Given this, the NPPF revision and associated updates to the PPG are relevant.

2.6. The initial draft of the Local Plan, that was consulted upon in summer 2017, utilised housing need figures that were set out using the objectively assessed need contained within the Strategic Housing Market Assessment (SHMA). Given that the Plan will be submitted after the transitional deadline, it has been necessary for SDC to utilise the figures produced by the standard methodology calculation that the Government have introduced as part of the NPPF Revision.

2.7. Paragraph 11 sets out that *plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*

- a) *Plans should positively seek opportunities to meet the development need of their area, and be sufficiently flexible to adapt to rapid change*
- b) *Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless;*
 - i. *The application of policies in the framework that protect assets or areas of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework when taken as a whole.*

2.8. Chapter 3 *Plan Making* clearly sets out the approach that should be adopted by Local Authorities in the preparation of their new Local Plan. Paragraph 16 sets out that plans should:

- *Be prepared with the objective of contributing to the achievement of sustainable development*

- *Be prepared positively, in a way that is aspirational but deliverable*
- *Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees*
- *Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.*

2.9. Paragraph 20 sets out new requirements for strategic policies in the Plan making process. This states (own emphasis added):

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

a) housing (including affordable housing), employment, retail, leisure and other commercial development;

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

c) community facilities (such as health, education and cultural infrastructure); and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”

2.10. Broad locations for development should be indicated on a key diagram, and land-use designations and allocations identified on a policies map. It goes on to state that *“strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development”* and that this should include planning for, and allocating, sufficient sites to deliver the strategic priorities of the area.

2.11. As outlined in these representations, SDC should look to allocate land at Old Barn Farm as part of the emerging Local Plan in order to meet the requirements set out in the NPPF Revision. The development of the Site will help SDC to address housing need, provide enhanced local infrastructure which has been identified as necessary, and enable the enhancement of the natural environment.

2.12. It is recognised in Chapter 5 *Delivering a sufficient supply of homes* that to support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

2.13. Paragraph 60 sets out that *“to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard methodology in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”*

- 2.14. Paragraph 65 states that *“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period”*.
- 2.15. Paragraph 67 states that strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment, and that planning policies should identify a supply of:
- a) *“Specific, deliverable sites for years one to five of the plan period; and*
 - b) *Specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.”*
- 2.16. Paragraph 72 clearly sets out that *“the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Strategic policy making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, authorities should:*
- a) *consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential and the scope for net environmental gains;*
 - b) *ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;*
 - c) *set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;*
 - d) *make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations).”*
- 2.17. The proposals for land at Old Barn Farm should therefore be included as an allocation in the Plan. The proposals would allow for the provision of up to 300 homes and would be supported, in part, by some of the existing infrastructure within Edenbridge. In addition, the development would allow for the enhancement and delivery of other community and social infrastructure, addressing currently identified shortages within the town and conforming to the requirements of chapter 8 of the NPPF Revision.
- 2.18. Chapter 8 *Promoting healthy and safe communities* sets out how *“planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*
- a) *promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*

- b) *are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and*
 - c) *enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*
- 2.19. Paragraph 92 sets out that *“to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
- a) *plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
 - b) *take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
 - c) *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
 - d) *ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
 - e) *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”*
- 2.20. Paragraph 96 states that *“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision”.*
- 2.21. Paragraph 98 sets out that *“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.”*
- 2.22. The Site at Old Barn Farm currently contains a number of public rights of way, which are being enhanced and retained as part of the proposed development. Over 75% of the Site will become either a Country Park or open green space for public recreational use in perpetuity. Of the portion that will be developed, the introduction of a community hub and the provision of a care home will assist in achieving a healthy, inclusive and mixed community.
- 2.23. In relation to the Green Belt, SDC has ascertained through the preparation of the draft Local Plan that there are insufficient sites located on previously developed land that can be utilised in the development strategy for the District. Therefore the need arises for land within the Green Belt to be considered in the formulation of the emerging Local Plan in order to ensure that identified needs can be met.

- 2.24. Chapter 13 *Protecting Green Belt land* emphasises the importance that the Government places on the Green Belts, and clarifies that the aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and their permanence. Paragraph 134 identifies the five purposes of the Green Belt as follows:
- a) *“to check the unrestricted sprawl of large built-up areas;*
 - b) *to prevent neighbouring towns merging into one another;*
 - c) *to assist in safeguarding the countryside from encroachment;*
 - d) *to preserve the setting and special character of historic towns; and*
 - e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*
- 2.25. Paragraph 136 states that *“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.”*
- 2.26. Paragraph 137 sets out that *“before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account whether the strategy:*
- a) *makes as much use as possible of suitable brownfield sites and underutilised land;*
 - b) *optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
 - c) *has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”*
- 2.27. Paragraph 138 provides guidance on the review of Green Belt boundaries, and states that *“when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”*

- 2.28. Paragraph 141 states that *“Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.”*
- 2.29. The guidance contained in the NPPF Revision regarding the release of land from the Green Belt, and need for Exceptional Circumstances to be demonstrated, has been utilised to shape the proposals which are presented with these representations. The Site would represent a sustainable urban extension to Edenbridge and will enhance the ability of the public to utilise the Green Belt for recreational use as sought in paragraph 141 of the NPPF Revision.
- 2.30. The weight of the argument as to why the Site should be released from the Green Belt is covered in Section 3 and 4 of this representation, where the key points are elaborated on and greater detail provided. Where applicable, the above policy paragraphs, and other relevant sections of the NPPF Revision are referred to in these representations.

Planning Practice Guidance

- 2.31. The Planning Practice Guidance sets out additional guidance to support the policies and guidance contained in the NPPF Revision. The section on *Housing and Economic Land Availability Assessments* sets out guidance for Councils seeking to identify appropriate land to meet development needs. Paragraph 019 (Reference ID: 3-019-20140306) states that:
- “Plan makers should assess the suitability of the identified use or mix of uses of a particular site or broad location including consideration of the types of development that may meet the needs of the community. These may include, but are not limited to: market housing, private rented, affordable housing, people wishing to build or commission their own homes, housing for older people, or for economic development uses.”*
- 2.32. The PPG goes on to advise that when assessing the suitability of sites or broad locations for development, LPAs should be guided by both the development plan, emerging policy and national policy, and; *“market and industry requirements in that housing market or functional economic market area.”*
- 2.33. The PPG continues to advise that the following factors should also be considered when assessing the suitability of a site for development now or in the future:
- *“physical limitations or problems such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;*
 - *potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation;*
 - *appropriateness and likely market attractiveness for the type of development proposed;*
 - *contribution to regeneration priority areas;*
 - *environmental/amenity impacts experienced by would be occupiers and neighbouring areas”*

- 2.34. The guidance offered in Paragraphs 026 (3-026-20140306) 044 (3-044-20141006) and 045 (3-045-20141006) are relevant to these proposals as the SHELAA prepared as part of the evidence base of the Draft Local Plan has shown that there are insufficient sites to meet the required housing need. The PPG paragraphs offer guidance that set out that whilst the Green Belt should be protected, housing need should be met unless the impacts of doing so would result in adverse impacts that would significantly outweigh the benefits. These paragraphs state the following:

“It may be concluded that insufficient sites/broad locations have been identified against objectively assessed needs. Plan makers will need to revisit the assessment, for example changing the assumptions on the development potential on particular sites (including physical and policy constraints) including sites for possible new settlements. If, following this review there are still insufficient sites, then it will be necessary to investigate how this shortfall should best be planned for. If there is clear evidence that the needs cannot be met locally, it will be necessary to consider how needs might be met in adjoining areas in accordance with the duty to cooperate”. (Paragraph: 026 Reference ID: 3-026-20140306)

“The National Planning Policy Framework should be read as a whole: need alone is not the only factor to be considered when drawing up a Local Plan. The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to; land designated as Green Belt. The Framework makes clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan”. (Paragraph: 044 Reference ID: 3-044-20141006)

“Assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need”. (Paragraph: 045 Reference ID: 3-045-20141006)

- 2.35. In context of the proposals, the Site is within the Green Belt, and development would take place on a proportion of that land. However, over 75% of the Site would be utilised to provide a new Country Park of approximately 45ha. The delivery of this Country Park as part of the scheme, would help to significantly enhance the Green Belt, and create an area of green open space in perpetuity to the south of Edenbridge one of the tier two settlements in the District behind only the Sevenoaks urban area. This would significantly and demonstrably outweigh any harm incurred through the loss of approximately 14ha of Green Belt to accommodate the proposed development of much needed new homes and local facilities in a sustainable location.
- 2.36. PPG guidance produced with regard to biodiversity states in Paragraph 017 (Reference ID: 8-017-20140306) that the potential to boost biodiversity on a site should be explored through the planning system. This states that:

“Biodiversity maintenance and enhancements through the planning system have the potential to make a significant contribution to the achievement of Biodiversity 2020 targets. Biodiversity enhancement in and around development should be led by a local understanding of ecological networks, and should seek to include:

- *habitat restoration, re-creation and expansion;*
- *improved links between existing sites;*
- *buffering of existing important sites;*
- *new biodiversity features within development; and*
- *securing management for long term enhancement.*

2.37. Along with a Country Park, the proposals will see the reintroduction of historic hedgerows across the site, which will help to maintain native local wildlife and create further opportunities for further varieties of wildlife to thrive. This will help to achieve an enhancement to the biodiversity of the site in accordance with both the NPPF Revision and the PPG.

Case Law

- 2.38. Over recent years there have been a number of important legal and appeal decisions concerning the Green Belt. This section focuses on the relevant case law in respect of Green Belt and demonstrating Exceptional Circumstances to support the release of the Site from the Green Belt.
- 2.39. SDC is constrained by Green Belt, with 93% of the land within the District being located within the Green Belt. AONB designations (both High Weald and Kent Downs) covers 60% of the land within the District.
- 2.40. The site at Old Barn Farm is not located within any of the absolute environmental constraints which may otherwise preclude development. The absolute constraints (environmental) have implications for the availability of land within the District. This demonstrates the importance of identifying sites that balance meeting housing needs with safeguarding sensitive areas of the Green Belt located elsewhere in the District which contribute to meeting the five purposes of the Green Belt.
- 2.41. The main issues in relation to Green Belt when preparing a Local Plan is the relationship between objectively assessed need for housing (OAN) and the Green Belt, and the 'Exceptional Circumstances' test for altering Green Belt boundaries.

Relationship between Meeting OAN and Green Belt

- 2.42. In Hunston Properties v SSCLG [2013] EWCA Civ; [2014] JPL 599 in respect of the correct identification of OAN as part of the assessment of Very Special Circumstances (and in the context of producing the Local Plan), the approach concluded the need for a two stage approach, regardless of the existence of Green Belt:
- 1) The first stage is to reach a conclusion as to the full OAN for market and affordable housing;
 - 2) The second stage involves an exercise of planning judgment as to whether the policy constraints in the NPPF carry the consequence that the OAN should not be met.
- 2.43. In R (Lee Valley Regional Park Authority) v Broxbourne Borough Council [2015] EWHC 185 (Admin) the decision found that "*A shortfall in housing land supply can, as a matter of policy, be a very special circumstance, although the occasions when it is likely to suffice by itself to warrant the grant of permission for housing development in the Green Belt are expected to be few and far between. That is in effect what the NPPF and the Ministerial statement say. So there is nothing unlawful in the committee treating it as one of a number of very special circumstances*" (para 68).

Exceptional Circumstances

- 2.44. In IM Properties Development Ltd v Lichfield DC [2014] EWHC 2440 (Admin) Mr Justice Pattison held that “for revisions to the green belt to be made exceptional circumstances have to be demonstrated” and “whether they have been is a matter of planning judgment in a Local Plan exercise ultimately for the Inspector” (paragraph 96).
- 2.45. In Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gedling Borough Council [2015] EWHC 1078 (Admin) Mr Justice Jay identified the following matters to ascertain whether Exceptional Circumstances exist (paragraph 51):
- (i) *The acuteness/intensity of the objectively assessed need (matters of degree may be important);*
 - (ii) *The inherent constraints on supply/availability of land prima facie suitable for sustainable development;*
 - (iii) *(on the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;*
 - (iv) *The nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and*
 - (v) *The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.*
- 2.46. This judgment provides the most detailed consideration in establishing the test for Exceptional Circumstances to justify amendments to the Green Belt boundaries.
- 2.47. More recently, the NPPF Revision paragraph 137 identifies the process of justifying whether Exceptional Circumstances exist (this follows on from the test contained in the Housing White Paper 2017). LPAs must have examined that the strategy:
- Makes as much use as possible of suitable brownfield sites and underutilised land;
 - Optimises the density of development; and
 - Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development.
- 2.48. Section 4 contains the justification necessary to constitute the Exceptional Circumstances, with reference to the NPPF Revision.

3. Housing Needs and Provision

3.1. SDC in the Draft Local Plan Regulation 18 Consultation (2018) identify:

- A housing need of 13,960 over the course of the Plan period (698 per annum);
- Having regard to the timetable for the adoption of the Local Plan, the standard methodology contained in the revised NPPF has been taken forward;
- The preferred approach is to provide housing within settlement areas, on brownfield sites or on sites already identified or allocated, with a corresponding increase in density. Additionally, SDC identify that there will be the development of some additional land on the Green Belt;
- Release of land for up to 6,915 dwellings in the Green Belt; across up to 10 different locations in the District;
- Consider that overriding Exceptional Circumstances exist to warrant the alteration of Green Belt boundaries;
- The land supply identified is a minimum of 6,582 dwellings utilising just brownfield land, with a maximum of 13,497 dwellings if all Green Belt Exceptional Circumstances sites are developed. This would leave a shortfall of between 463 and 6,915 dwellings over the Plan period;
- SDC recognise that meeting their housing need will not be possible purely by focusing on development of sites within existing settlements. Through the duty to cooperate SDC states that discussions have been held with adjacent authorities. SDC acknowledge that to date, none of the discussions have led to any other authority being able to assist in meeting SDC's unmet need. SDC recognise the next step (in accordance the NPPF Revision paragraph 137) is to consider land within the Green Belt.

3.2. It is considered there are Exceptional Circumstances to warrant the alteration of Green Belt boundaries at Old Barn Farm, notably due to:

- Land availability and notable absence of previously developed land within settlement boundaries;
- The contribution the Site makes to the Green Belt, and the emerging proposals which include 75% of the Site remaining open in the more sensitive sections;
- The pressing housing need;
- Inclusion of community facilities to meet identified need within the proposal.

Full details of the Exceptional Circumstances are set out in the next section of these representations.

3.3. The national housing crisis has characterised the housing market for many decades and is steadily heightening; the crisis is now compounded by a lack of affordability. The Office of National Statistics (ONS) has shown that the mean affordability ratio, based on median house price to median income, is 14.6 (ONS Table 5C). That is to say median house prices are 14.6 times median income.

3.4. The review of local housing need and supply in Sevenoaks District, Tunbridge Wells Borough, Tandridge District and Tonbridge & Malling Borough indicates that none of these authorities can demonstrate a five-year housing land supply against current assessments of need. Current housing land supply positions of these authorities are as follows, and, are based on the Objectively Assessed Need (OAN) figures. :

- Sevenoaks District – 2.9 years (with an OAN of 620dpa) (our own calculation based upon delivery and OAN figures)
- Tandridge District – 3.36 years (470dpa) (As per the 2018 Authority Monitoring Report)
- Tunbridge Wells Borough – 2.46 years (648dpa) (As per the Five-Year Housing Land Supply and Housing Trajectory 2017 Document)
- Tonbridge & Malling Borough – 4.7 years (696dpa) (As per the Annual Monitoring Report, Oct 2017)

Affordable Housing

3.5. The affordability position is exacerbated by a historic under delivery of affordable housing against targets within SDC.

3.6. SDC has a target to deliver 66 affordable homes each year. With the exception of the 2015/16 monitoring year, SDC has failed to meet the requirement over the period 2007-2017. This is clearly evidenced in the most recent Annual Monitoring Report (2016/17) at table 6.1, which for completeness is provided below:

Figure 3.1: Extract from Annual Monitoring Report 2016/17 showing Affordable Housing completions 2011/12 to 2016/17

Monitoring Year	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
All new build housing units completed (market & affordable)	225	195	264	259	479	340
Number of housing units lost (market & affordable)	51	54	40	60	65	28
NET number of new build housing units completed (market & affordable)	174	141	224	199	414	312
All new build affordable housing units completed (Gross)	25	17	51	15	115	42
All affordable housing units lost	0	-32	0	0	0	0
Net number of new build affordable housing units completed	25	-15	51	15	115	42

3.7. The proposal at Old Barn Farm will deliver affordable housing at a level of 40% of the development, in accordance with the current adopted and emerging standards. This will be delivered in accordance with the definition of affordable housing as provided in the glossary to the NPPF Revision. Evidently, in an area where there is a clear shortage of affordable homes, this proposal will make a valuable and much needed contribution to meeting identified housing needs.

Duty to Cooperate

- 3.8. SDC has a duty to cooperate on housing, employment and infrastructure needs crossing administrative boundaries, particularly on matters of strategic priority. The NPPF Revision places a stronger emphasis on the need to co-operate between authorities, with the introduction of the need to produce a statement of Common Ground.
- 3.9. Para 11 b. of the NPPF Revision is clear that as a minimum Plans should provide for objectively assessed needs for housing and other development as well as any needs that cannot be met within neighbouring areas. This is not simply restricted to a Housing Market Area (HMA), as was the case with the original 2012 NPPF, and therefore provides a broader requirement for SDC to address its own and others housing and development needs.
- 3.10. There is a requirement in the NPPF Revision to prepare a Statement of Common Ground with adjoining Local Authorities in order to satisfy the Duty to Cooperate. A Duty to Cooperate statement was prepared in relation to the first consultation on the Local Plan held in 2017, however a new statement has not been prepared for this iteration of the Plan. The Duty to Cooperate statement sets out that SDC are struggling to meet their own need, with all nearby Local Authority's unable to demonstrate a five year housing land supply and will not be able to meet the housing needs of other Districts or Borough's in the wider area.
- 3.11. This position is reaffirmed in the emerging Local Plan paragraph 1.8 which states that *"to date, none of these discussions or processes have led to any authorities being able to assist Sevenoaks with unmet need."*
- 3.12. Given this position on unmet need, the release of greenfield Green Belt sites that will enable SDC to achieve their required housing target as calculated by the standard methodology is a necessity.

Neighbouring Authorities

Tunbridge Wells Borough Council

- 3.13. Tunbridge Wells Borough Council's (TWBC) emerging Local Plan underwent a first round of Regulation 18 consultation that concluded on 12 June 2017. The Plan identified an OAN for housing of 12,960 new homes over the Plan period (or 648 per annum). However, the consultation document did not set out whether this volume of housing could be delivered or how it would be achieved.
- 3.14. Additionally, the draft Local Plan did not address the standard methodology calculation, which would see the housing need in Tunbridge Wells rise to 13,840 (or 692 per annum). A revised timetable for the progression of the Local Plan has since been produced, with an estimated submission date in December 2019, with an adoption date of 2020. Given that TWBC will be submitting their Plan after the transitional period, the higher standard method for calculating housing need will need to be applied.

- 3.15. TWBC has identified that studies conducted as part of the evidence base on the emerging Local Plan suggest that there may be significant challenges in providing the Borough's relevant level of development owing to landscape, environmental and infrastructural constraints. Evidently therefore, it would appear that SDC will not be able to rely on TWBC to assist in meeting their OAN.

Tandridge District Council, and Tonbridge & Malling Borough Council

- 3.16. As identified above, with the publication of the NPPF Revision, authorities must consider the unmet needs of neighbouring authorities. This would also include Tandridge District Council and Tonbridge & Malling Borough Council.

Tonbridge & Malling Borough Council (TMBC)

- 3.17. The emerging TMBC Local Plan will undergo a Regulation 19 consultation by the end of September 2018. As TMBC are aiming to submit their Emerging Local Plan before the end of the transitional period following the introduction of the NPPF Revision, they are utilising a housing target of 13,920 (696 per annum). This is based upon the 2016 Strategic Housing Market Assessment. The draft Regulation 19 consultation document sets out a net requirement for housing of 6,534 when elements such as completions and extant permissions are accounted for. The allocated sites within the Borough are currently set to provide for 6,818 units. This level of margin does not allow for TMBC to assist SDC in meeting its unmet need.

Tandridge District Council (TDC)

- 3.18. The emerging TDC Local Plan is undergoing a Regulation 19 consultation until 10 September 2018. In line with the approach taken by TMBC, TDC is also aiming to submit their Local Plan before the end of the transitional period set in the NPPF Revision. TDC is therefore preparing the Emerging Plan based upon an OAN of 9,400 homes over the Plan period (470 per annum). This is 3,500 dwellings lower than the 12,900 set out in the standard methodology. The Plan prepared by TDC seeks to provide only approximately 6,100 new homes (which constitutes approximately 65% of the OAN for Tandridge District. If the standard methodology figures were to be adopted, this would represent a provision of 47% of the recognised need). Therefore TDC will not be able to contribute towards meeting SDC's unmet need.

The Housing Requirement

- 3.19. The Housing need for the District was originally calculated through the assessment of OAN in 2015 as being 12,400 homes over the course of the Plan period (or 620 units per annum). This target was acknowledged in the first round of consultation on the emerging Local Plan, held July-September 2017 (Issues and Options – Regulation 18). However, since that time the Government has introduced a standard method for calculating housing need, and this new measure must be incorporated in all emerging Plans that are being prepared for submission to the Planning Inspector for examination after 24 January 2019. As SDC has adopted a timeframe for preparation and submission of the Plan that will see the planned submission or the new Local Plan occurring after January 2019, the standard methodology figures have been adopted.

- 3.20. The housing need recognised by SDC of 698 dwellings per annum (dpa) is in line with the need set out in the standard methodology. However, if all potential Exceptional Circumstances sites are deemed to be exceptional and included in the Plan, this would represent an absolute maximum provision of 674dpa. This falls short of the NPPF Revision Standard Methodology by 24dpa or 480 new homes over the plan period.
- 3.21. It should be remembered that the Government's standard methodology is a starting point and that an uplift to address Economic Growth and Housing Need, Affordable Housing and Market Signals or to provide for a contingency / flexibility may suggest a higher level of housing provision.
- 3.22. A minimum requirement of 13,960 dwellings (698 dpa) remains justified, and SDC should allocate sufficient sites to meet this need

Five Year Housing Land Supply & Housing Shortfall

- 3.23. The most recent 5 year housing land supply position (set out in the 2016-2017 Authority Monitoring Report (AMR)) states that against the housing requirement set out in the Core Strategy (2011), covering the period of 2006-2026, SDC can demonstrate a housing land supply of 11.05 years. However, this is based upon figures and an evidence base prepared before the adoption of the NPPF (2012) and the NPPF Revision (2018). When considering the OAN prepared as part of the evidence base of the emerging Local Plan and published in 2015, the housing target for SDC was stated to be 620dpa. When considering this measure of need against the stated housing supply figures in the 2016-17 AMR of 1,823 net dwellings, SDC have a land supply of only 2.94 years.
- 3.24. SDC have stated that their preferred approach to meeting their housing target is one of development on brownfield land and increasing the density of development within urban areas. SDC have produced a brownfield land register in line with Government legislation, which requires local authorities to prepare and maintain registers of brownfield land that is suitable for residential development. It shows that if all of the sites that are on the register were to be developed, approximately 3,360 homes could be delivered. This is well below the required volume of delivery.
- 3.25. Through utilising the stated preferred methodology set out by SDC of maximising supply and developing previously developed land within the Green Belt and utilising additional sites identified in the SHELAA, the Emerging Plan identifies that a possible 6,582 new homes can be achieved. This demonstrates that there is an insufficient volume of urban capacity to be able to address the level of housing need.
- 3.26. In order to address the gap between this figure of 6,582 units and the identified need of 13,960, SDC is proposing to explore the release of Green Belt in cases where Exceptional Circumstances are deemed to exist. This has led to 12 potential locations being identified for further examination by SDC in the emerging Local Plan. It should be noted that of the 12 locations, three are located in Edenbridge, and it is stated in the draft Plan that only one out of these three will come forward, giving a maximum of 10 locations. If 10 locations are deemed to have Exceptional Circumstances in place, this will lead to a total of approximately 13,382 new homes being provided, resulting in a shortfall against the OAN by approximately 500 homes.

3.27. Historic Housing delivery is shown in Figure 5.1. In addition, the NPPF Revision includes the Housing Delivery Test to help maintain housing supply and delivery. Notably, SDC has failed to meet its annualised target when considered against its objectively assessed need of 620dpa established in 2015. The revised NPPF states that where there has been a significant under delivery of housing over the previous three years, a 20% buffer should be added to the five year housing land supply.

3.28. Figure 3.2: Historic Housing Delivery in Sevenoaks District

	Policy requirement	Net completions	Shortfall/ surplus
2015-16	620	414	206 unit shortfall
2016-17	620	312	308 unit shortfall

3.29. In relation to the Housing Delivery Test, the NPPF Revision is clear that this is assessed on the basis of delivery over the previous three years. For SDC this will mean that it will include three years of the higher 620 dpa measurement. This test is a simple calculation of net homes delivered divided by net homes required over the period of the previous three years. If an authority falls below a 95% delivery rate it is required to produce an action plan to identify actions as to how this can be improved and the minimum 95% delivery met.

3.30. When considered against the known delivery and estimated delivery for the period 2017-2018, SDC can be seen to be delivering just over 55% of their required housing when viewed against their OAN figure of 620dpa. When viewed against the standard methodology figure of 698dpa, this drops to below 50%.

Conclusion

3.31. SDC therefore needs to ensure that a suitable range of sites, of varying sizes and scales, are allocated in the Emerging Plan to ensure the delivery of a sufficient number of new homes against the housing delivery test, and to address the under delivery against the 5 year requirements. SDC needs to ensure that the Plan is flexible and able to meet the demands on it both in terms of providing for need but also delivering at a sufficient rate.

3.32. From examining the Brownfield Register and assessing sites through the call for sites process, it can be clearly seen that there is an insufficient supply of brownfield land or previously developed sites within the District to deliver the necessary level of housing supply. The lack of urban capacity for the delivery of a sufficient level of housing means that the release of Green Belt sites within the draft Local Plan will be necessary in order to meet this need. Edenbridge has been identified as a tier two settlement in the settlement hierarchy, and represents one of the most sustainable locations for development in the District. The allocation of Old Barn Farm would enable SDC to deliver a site in the District that would deliver much needed community infrastructure and facilities, whilst also helping SDC to move towards achieving their housing target and help to address the evident housing shortfall in the District.

4. Green Belt

4.1. The NPPF Revision identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. At paragraph 134, the NPPF Revision lists the five purposes:

1. *“To check the unrestricted sprawl of large built-up areas;*
2. *To prevent neighbouring towns merging into one another;*
3. *To assist in safeguarding the countryside from encroachment;*
4. *To preserve the setting and special character of historic towns; and*
5. *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land”*

4.2. The NPPF Revision at paragraphs 136 and 137 is clear that Exceptional Circumstances are required to be demonstrated in order for Green Belt boundaries to be amended as part of the Plan making process. At paragraph 137, new tests are now in place when assessing whether Exceptional Circumstances exist. This states:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

4.3. Within the District, 93% of land is constrained by Green Belt. This inevitably places constraints on where development can be readily achieved and necessitates an examination of the existing development in the Green Belt for sites that can be considered previously developed (brownfield), and potentially suitable for development, and also necessitates an examination of Green Belt boundaries in order to accommodate any further development in a sustainable manner.

- 4.4. Having explored the opportunities for development within the existing urban environment, brownfield sites and non-Green Belt sites, SDC have included in the draft Local Plan a potential 12 locations for further examination, where it is felt that Exceptional Circumstances for Green Belt release may exist. In this regard, it should be noted that of the 12 locations, 3 are located close to the centre of Edenbridge, and it is stated in the draft Plan that only one out of these three will come forward, giving a maximum of 10 locations. All of the sites are within the Green Belt, with 3 of these locations also being within the Area of Outstanding Natural Beauty (AONB).
- 4.5. In relation to Old Barn Farm, it is clear that there are Exceptional Circumstances which fully justify the alterations of the Green Belt Boundary in this location through the Emerging Plan. Below sets out the Exceptional Circumstances applicable to the Site.
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Evidence Base

- 4.6. To support the Local Plan, SDC has produced, amongst other evidence base documents, a Green Belt Assessment (2017), a Biodiversity Analysis study (2018) and a Landscape Sensitivity Study (2017).
- 4.7. The Green Belt Assessment undertakes a review of all Green Belt land within the District. It subdivides the District into a number of defined land parcels. The Site falls across two separate land parcels identified in the study (parcel 13 and parcel 4). The study determined the contribution that the land parcel makes on a scale of weak-moderate-strong. The assessment and its conclusions are discussed below.

Green Belt Review

- 4.8. The Green Belt Review identifies the 63ha Site at Old Barn Farm as being part of two wider parcels (parcel 13, 96ha in size and parcel 4, 2876ha in size). Within the review the parcels are assessed against the four of the five purposes of the Green Belt as outlined above. Purpose 5 has not been considered in the assessment as none of the sites are on derelict or urban land.
- 4.9. The Green Belt Review found that the parcel 13 is not at the edge of a distinct large built-up area and plays no role in preventing the unrestricted sprawl of a large built up area. It also found that it played no role in preventing neighbouring towns from merging. It identified that against purpose 3 the land parcel scored highly, and that it also scored highly in preserving the setting and character of a historic town. Therefore it was attributed an overall score of 'strong' and deemed to be a strongly performing parcel of Green Belt.
- 4.10. The review found that there was scope for subdivision of the wider parcel 13, with particular possibility in the western corner. The concerns raised over the development of the wider parcel centred on its connectivity and impact on the historic core and Conservation Area of Edenbridge. However, the Site subject to this representation is again only part of the wider parcel 13 and does not connect with or impinge upon the historic core of Edenbridge.

- 4.11. The Green Belt Review found that parcel 4 is not at the edge of a distinct large built-up area and plays no role in preventing the unrestricted sprawl of a large built up area. It found that it played a slight role in preventing neighbouring towns from merging. Given the size of the parcel and the fact that it does not adjoin Edenbridge, the reference to the parcel preventing adjoining towns from merging is understood to be in relation to the numerous rural settlements within the wider parcel. The Green Belt Review identified that against purpose 3 the land parcel scored highly, but that it registered no score in preserving the setting and character of a historic town. Overall parcel 4 was attributed an overall score of 'strong' and deemed to be a strongly performing parcel of Green Belt.
- 4.12. The Green Belt Review did not find that there was scope for the subdivision of parcel 4. However, it should be noted that the proposal Site constitutes only 6ha of the 2,876ha covered by parcel 4. In relation to the site only, a full review of its contribution to the 5 purposes of the Green Belt is provided below.

Biodiversity Analysis

- 4.13. The Biodiversity Analysis, conducted by AECOM and published in 2018 as part of the evidence base for the emerging Local Plan, identifies the Site as having a low biodiversity value. The assessment criteria utilised in the report indicate that this will likely be owing to its existing use as an arable field.
- 4.14. The development of a part of the Site for housing and the introduction of a Country Park would help to raise the biodiversity value of both the Site and the wider area to the south of Edenbridge, providing enhancements to the Green Belt in accordance with NPPF Revision para 141.

Landscape Sensitivity Study

- 4.15. The landscape sensitivity study identifies the Site as falling within parcel 'E2-Edenbridge South', which is a wider parcel enveloping the whole of the south of Edenbridge.
- 4.16. The study identifies the parcel as having a medium sensitivity to housing. It specifies that the floodplain and more rural locations away from Edenbridge are more sensitive, but that development could be accommodated. Specifically it states that any new development should *"enhance the existing interface between Edenbridge and the surrounding countryside if it is located on the edge of the settlement"*.

Contribution to the Green Belt

- 4.17. As identified above, the NPPF Revision clearly sets out the 5 purposes of the Green Belt (paragraph 134). In the preparation of the proposed scheme, Davies Landscape Architects have provided specialist advice with regard to the contribution of the parcels within which the Site is located towards its overall contribution to the Green Belt purposes (Appendix 2). Davies Landscape Architects identify that the overall score of 'strong' in the Green Belt Review is taken against the parcel as a whole and only as a result of the score against purposes 3 and 4, as the Site registers no score against purposes 1 and 2.

4.18. The following points are however highlighted in respect of the five purposes:

Purpose 1: To check the unrestricted sprawl of large built-up areas;

4.19. Edenbridge is defined in the settlement hierarchy as a town, and secondary to the main urban area of Sevenoaks. The settlement hierarchy report states that Edenbridge has a population of just under 9,000, whilst Swanley, also regarded as a town in the hierarchy, has a population of approximately 16,000. The town is not the largest built up area in the District, and the presence of existing Green Belt surrounding the settlement ensures that any growth cannot occur unrestricted. The proposed development would maintain a clear Green Belt boundary to the south which would maintain resistance to unrestricted sprawl of the urban area and retain clear separation between the Site and other settlements.

Purpose 2: To prevent neighbouring towns merging into one another;

4.20. The closest settlements to the Site, as identified in the settlement hierarchy, are Marsh Green (1.5km away) Hever (3.5km away) and Crockham Hill (4.5km away). All of these settlements are regarded in the settlement hierarchy as individual hamlets and retain clear boundaries separating them from Edenbridge. The proposals would maintain this clear boundary between settlements and would not result in any of these hamlets merging with the town. In the case of Marsh Green the proposals would in fact, help to enhance the separation through the formation of a Country Park. This would remain open and for public use in perpetuity, reinforcing the southern edge of the settlement of Edenbridge and creating a strong defensible boundary. It is not proposed that the Country Park element of the proposal is released from the Green Belt, as this would provide a strong buffer to the edge of the town and assist in meeting purpose 2.

Purpose 3: To assist in safeguarding the countryside from encroachment;

4.21. The need for urban expansion beyond existing settlement boundaries will be, by its very definition, in conflict with purpose 3. The Davies Landscape Architects appraisal (Appendix 2 to these representations) identifies that purpose 3 is a score of physical function, and not one of quality or contribution to landscape. It also does not consider the influence of man-made features, suburban elements or detracting aesthetics. Notwithstanding this, the inclusion of a strong defensible boundary in conjunction with development in the northern part of the Site, created through the delivery of a Country Park, will contribute to the long term protection of the countryside and Green Belt beyond the site and beyond Edenbridge settlement. As outlined in these representations, the southern part of the Site is not proposed to be released from the Green Belt, and with over 76% of the land remaining open in perpetuity through delivery of a Country Park, the scheme is able to make a valuable contribution to the long term protection of the Green Belt and safeguard the countryside throughout and beyond the plan period.

Purpose 4: To preserve the setting and special character of historic towns;

- 4.22. With regard to purpose 4, it is acknowledged in the Davies Landscape Architects appraisal (Appendix 2) that the southern approach to Edenbridge is regarded as an important part of the setting to the town and the primary reason why the Site scores so highly in the 'preservation of a historic town' criteria. However, the wider Site is separated from the Edenbridge Conservation Area by modern development which forms a physical and visual barrier between the Conservation Area and the Site.
- 4.23. The proposals have been developed for this site having regard to the assessment and conclusions of the Davies Landscape Architects appraisal, including the relationship to the historic town, and accordingly have included a large Country Park and retention of the open entrance to southern approach to Edenbridge. As recognised in the Davies Landscape Architect appraisal, this would ensure that the Site's current contribution to purpose 4 would not be negatively impacted upon.

Purpose 5: To assist in urban regeneration by encouraging the recycling of derelict and other urban land

- 4.24. The draft Local Plan and the conclusions of the Strategic Housing and Economic Land Availability Assessment (SHELAA) (2018) indicate that SDC has sought to meet its housing and development needs through urban regeneration. However, it is evident that there remains a significant unmet housing need in the District as there is insufficient brownfield, underused or derelict land available in the District to provide the level of much needed housing required to meet needs. As a result, the development of the site at Old Barn Farm would not prevent urban regeneration from taking place, nor would it discourage it. SDC will still need to maximise the regeneration of all available urban land through the Plan, but clearly needs to supplement this with additional land, being released from the Green Belt where the 5 purposes are not being met, if it is to meet its housing needs over the Plan period.
- 4.25. Overall, whilst SDC concludes in the Green Belt Review that the Site makes a strong contribution to the five purposes, it has been identified in the Davies Landscape Architects appraisal (Appendix 2) and in these representations that the varying characteristics of the Site make different and often lesser contributions to the Green Belt when viewed in isolation.
- 4.26. Furthermore, the NPPF Revision is clear at paragraph 139 that when defining Green Belt boundaries, LPAs should not include land which is unnecessary to keep permanently open. It is clear in this instance that there is no need for the site to be retained as a permanently open parcel of land. In this regard, it is emphasised that the proposal is not to release the entire site from the Green Belt. Rather, it is only the land forming part of the development area that is proposed for release. The remainder of the land which will create a Country Park can assist in meeting the purposes of the Green Belt and would in most instances provide enhancements that would protect the southern edge of Edenbridge from future development. Subsequently it is only approximately 14 hectares of land (as defined on the masterplan in Appendix 1) that is proposed for release.

- 4.27. The Davies Landscape Architects Appraisal of the Site has identified that development can be achieved on the Site without harming the primary factors within the parcel that gave a 'strong' score within the Green Belt. The Appraisal identified that the function of the Site should not be considered without also assessing its quality, and it is considered that the proposed development will directly lead to an enhancement of the Site. In particular, the introduction of a Country Park and the reintroduction of historic hedgerow patterns across the Site will help the Site become a more natural part of the landscape, improve the range of biodiversity across the Site and improve its contribution to the Green Belt.
- 4.28. The Davies Landscape Appraisal provides more detail on these points, and can be found in Appendix 2

Potential Harm

- 4.29. Davies Landscape Architects have assessed the Site and considered its sensitivity and any potential impacts that could occur (see Appendix 2). Therefore a landscape-led approach has been developed that will ensure that the historic nature of Edenbridge is not negatively impacted and the open southern entrance to the town can be retained.
- 4.30. In this regard, the sensitivity of the Site, has informed the approach to the scheme, with only 24% of the land being proposed for development, and within that area, housing being kept at a low density (approximately 25-30 dwellings per hectare) in order to achieve an environment that is in keeping with the existing density found in south Edenbridge. Through utilising carefully considered design principles such as this, and a strong landscape led approach to the layout and form of the scheme, the development provides an opportunity to assist SDC in meeting its identified housing needs over the plan period, improve opportunities for people to enjoy the Green Belt through recreation, protect more valuable areas of the Green Belt from subsequent pressure for development, and protect the historic and open nature of the southern entrance into Edenbridge.

Meeting the Exceptional Circumstances

Lack of previously developed land within existing settlement boundaries

- 4.31. It is evident from examining SDC's Brownfield Land Register and reviewing SDC's comments throughout the Draft Local Plan that there is a notable absence of previously developed land within the existing settlement boundaries. Therefore SDC are unable to fully accommodate the housing and development required to meet needs over the plan period on solely brownfield land.
- 4.32. In this regard, if no Green Belt Exceptional Circumstances sites were to be considered, SDC would only be able to achieve delivery of approximately 6,500 units, which is below 50% of their housing target and clearly falls short of addressing identified needs in the District. This would be substantially less again if only brownfield sites in settlement boundaries were being considered as part of the Emerging Plan.

- 4.33. Evidently therefore, SDC must consider the release of land from the Green Belt to ensure that it can meet the housing and development needs of the District's community. As a result, land which has the least contribution to meeting the five purposes of the Green Belt should be released. As outlined above, the site has been assessed and does not meet the five purposes sufficiently to warrant its retention as Green Belt.
- 4.34. Therefore SDC has had no option but to identify a number of sites that are within the Green Belt as potential development sites. For each of these, it is necessary for Exceptional Circumstances to be demonstrated. Whilst there is no nationally defined criteria or definition of Exceptional Circumstances, SDC has stated in paragraph 1.10 of the draft Local Plan that they will consider Exceptional Circumstances to be "*where social and community infrastructure is being proposed in addition to housing which could help address evidenced infrastructure deficiencies in the area*".

Utilisation of a site which makes a limited contribution to the five purposes of the Green Belt

- 4.35. As outlined above, the site does not contribute towards meeting all five purposes of the Green Belt. Davies Landscape Architects found that the site made no contribution to purposes 1 and 2. They found that whilst the site contributed to purpose 3, no account had been taken of the quality of the parcel and that this was purely a functional contribution. With regard to purpose 4, the site did contribute to the purposes of the Green Belt but development could be accommodated that would enable the site to have its historic field patterns reintroduced whilst also allowing for development that would not harm the historic nature of Edenbridge.
- 4.36. As such the removal of part of the site from the Green Belt will assist SDC in appropriately protecting other, more valuable Green Belt land elsewhere in the District, notably in instances where the five purposes are being fulfilled.
- 4.37. The proposals will enable an enhancement to the Green Belt to occur to the south of Edenbridge adjacent to the proposed development. With the creation of a Country Park creating a permanently open green space and restoration of the historic hedgerow patterns returning the countryside to its former state, an increase in biodiversity will be achieved and an increase in public accessibility to the Green Belt will be attained, enhancing recreational opportunities and improving overall social wellbeing.

Delivery of much needed Infrastructure

- 4.38. The emerging Edenbridge Neighbourhood Plan has identified a number of community and infrastructure elements that are considered to be deficient in and around the settlement. This includes:
- Improved medical services
 - Provision of a secondary school
 - Improved public transport to surrounding towns
 - The need for Local Care Home beds
 - Lack of overnight visitor accommodation in town
 - Need to maintain a balance between market and social housing
 - Population growth that does not address infrastructure needs

- 4.39. The proposed development of the Site seeks to address these community needs as far as possible. We are aware that other sites that have been included in the draft Local Plan that are being examined for Exceptional Circumstances are seeking to provide a Secondary School and a new Hospital. Therefore this development will seek to include:
- a care home;
 - a community hub;
 - the provision of a country park;
 - creation of a firmly defined southern boundary; and
 - inclusion of land that can be utilised for other community uses and identified deficiencies (such for the provision of land for overnight visitor accommodation and the provision of a doctors surgery on the Site).
- 4.40. The development of land at Old Barn Farm presents an opportunity for both the delivery of housing and community infrastructure to Edenbridge. Given the established needs in the community, this is evidently an Exceptional Circumstance. This is in addition to the acute housing need in the District and the lack of five year housing land supply in both this District.

Conclusion

- 4.41. As fully detailed above in Section 3 of these representations, there is a national housing crisis and the Government is committed to increasing housing delivery. SDC, along with its neighbouring Authorities of TDC, TMBC and TWBC, cannot demonstrate a five year housing land supply when utilising OAN figures, showing that there is a chronic lack of housing supply across the region.
- 4.42. Given the housing shortfall identified in the draft Local Plan, there is a need for sites such as Old Barn Farm to be included as an allocation in the Emerging Plan. The above has demonstrated that Exceptional Circumstances exist to justify the site's release from the Green Belt and this would enable SDC to go a step closer to meeting its full, objectively assessed housing need over the Plan period. As a tier two settlement Edenbridge is one of the most sustainable locations for housing development within the District. Furthermore, the delivery of the Site will assist in addressing existing, established social and infrastructural deficiencies in the community. This approach fully accords with the definition of Exceptional Circumstances that SDC has chosen to apply to its strategy, as set out in at paragraph 1.10 of the Draft Local Plan.
- 4.43. Overall the above demonstrates Exceptional Circumstances exist and these justify the release of the Site from the Green Belt as part of the Emerging Local Plan

5. Old Barn Farm, Mill Road, Edenbridge

- 5.1. As outlined above, an Initial Development Strategy has been prepared and is appended to this representation at Appendix 1.
- 5.2. The Site comprises approximately 63 hectares of land to the south west of Edenbridge, within the administrative boundary of Sevenoaks District Council. The Site is adjacent to the settlement boundary of Edenbridge, designated as Green Belt, and is primarily classified as Flood Zone 1, with an area of Flood Zone 2 running centrally across the Site from west to east.
- 5.3. The vision for the Site is for the delivery of a development comprising a country park, woodland and green open space. This would see approximately 49ha of land remaining in the Green Belt as open space for perpetuity, enhancing the ability of the residents of Edenbridge to interact with the Green Belt. The developed portion of the site would include the provision of a community hub, care home, land for other community uses such as a doctors surgery or hotel, and provision of up to 300 new homes over approximately 14ha of land. This is shown clearly in the plan contained in Appendix 1.

Suitability of the Site

- 5.4. The NPPF Revision states the importance of identifying sufficient sites to meet National Government's objective of boosting housing supply. Paragraph 68 states that "*...planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability*". In order to do this Local Plans should identify specific, deliverable sites for years 1 to 5 of the Local Plan, along with developable sites or broad locations for growth for years 6-10, and where possible, for years 11 – 15 of the Local Plan.

Suitability

- 5.5. The Planning Practice Guidance (PPG) contains guidance on assessing suitability, availability and achievability to ultimately establish whether a site can be considered deliverable over the Plan period. In order to assess the suitability of a site, the PPG (paragraph ID: 3-019-20140306) states that this should be guided by:

- **The Development Plan, emerging Plan policy and National Policy;**

As identified below, SDC is unable to meet their full housing requirement as calculated under the standard methodology and therefore in order for the emerging Local Plan to be positively prepared and in line with National Policy, SDC need to include a further site (or sites). Land at Old Barn Farm would allow SDC to move closer towards meeting its full housing requirement and include an element of flexibility should any of the other sites be delayed or found unsuitable for Green Belt release. The Site is adjacent to the existing settlement boundary and represents a sustainable urban extension that would help deliver needed infrastructure to Edenbridge.

- **Market and industry requirements in that housing market or functional economic market area;**

There is an identified need for housing within the District. When measured against the OAN ascertained in the 2015 SHMA (620dpa), the housing land supply for SDC can be seen as 2.9 years, well below the required five year housing land supply. With the standard methodology figures for housing need utilised (698dpa), this supply reduces further to only 2.6 years. The current prospective site allocations will lead to a continued undersupply and a failure to deliver the required volume of housing across the Plan period. Furthermore housing affordability is a major issue within the local area, with the affordability ratio being 14.6 times.

- **Physical limitations or problems such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;**

The flood map produced by the Environment Agency shows that a central swathe of land running from west to east across the Site falls within Flood Zone 2. However, Cannon Consulting Engineers have conducted specialist flooding appraisal work on the Site (Appendix 3), through which it can be seen that with minor groundworks the flood plain can be realigned. This would enable the area of Flood Zone 2 to be moved further south, away from the proposed development area, and enable the development to occur outside of an area at risk of flooding.

- **Potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation;**

In terms of impacts of the proposal, the main consideration is the impact upon the Green Belt. The Appraisal prepared by Davies Landscape Architects (Appendix 2) assesses the Site in relation to its openness and the five purposes of the Green Belt. This identifies that considered development of the Site will have limited harm to the character of the Green Belt and will offer opportunities to enhance biodiversity and create public recreation space. Accordingly the proposals have been developed in line with the Appraisal.

- **Appropriateness and likely market attractiveness for the type of development proposed;**
The type and variety of housing that would be developed on Site has not yet been defined, however it would be in line with local needs and accord with Government policies to increase the supply of new homes by broadening the range of types and tenure.

- **Contribution to regeneration priority areas; and**

National Policy identifies the priority of developing previously developed land ahead of greenfield sites. However, it has been established through the SHELAA and the formulation of the draft Local Plan by SDC to date that there are not a sufficient quantity of available previously developed sites within existing settlement boundaries to meet the required housing target. The development of the Site will not detract from any regeneration areas within Sevenoaks District.

- **Environmental / amenity impacts experienced by would be occupiers and neighbouring areas.**

The nature of the Site as an urban extension and the delivery of social and community benefits will enhance the day-to-day amenity of both residents living within the development and the existing residents of Edenbridge. The proposals include the development of three quarters of the Site as a Country park and open green space. This accords with National Policy by increasing access to recreation and re-introducing a landscape of high biodiversity value, notably paragraph 170 (d) of the NPPF Revision.

- 5.6. The above, in conjunction with the tier two status of the site, demonstrates the suitability of the Site for the proposed development, including much needed new homes, various infrastructure and community benefits, including a care home, community hub, and a new 45 hectare Country Park.

Availability

- 5.7. The PPG (Ref ID: 3-020-20140306) identifies that *“a site is considered available for development, when, on the best information available (confirmed by the call for sites and information from landowners and legal searches where appropriate), there is confidence that there are no legal or ownership problems.....”*.

- 5.8. The Site is being promoted by a housebuilder (Miller Homes) who have entered into a legal agreement with the landowner. Therefore the Sites availability and the intention to develop the Site have been confirmed.

Achievability

- 5.9. The PPG (Ref ID: 3-021-20140306) states that *“a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time”*.

- 5.10. Similarly, the agreement between our client and the landowner confirms the achievability of the Site to deliver the proposed development, as there are no pending legal agreements that will elongate the process of commencing development.

Summary

- 5.11. As demonstrated above, the Site is a tier two settlement that is located in a sustainable location, is suitable, available and achievable, and therefore deliverable over the Plan period. Given the demonstrated deliverability of Old Barn Farm and the identified shortfall in meeting its required housing need, SDC should include Old Barn Farm as a draft allocation. This will ensure SDC meets its housing need over the Plan period, with sufficient flexibility to adapt to rapid change which will also help contribute to SDC's land supply in the short to medium term (i.e. in the first 5-10 years).

Benefits

- 5.12. Development of Land at Old Barn Farm will deliver a range of essential social and community benefits, in accordance with the interpretation of Exceptional Circumstances as set out by SDC, not only to those occupying within the new development but also to the existing residents of Edenbridge and the wider area. The following benefits are summarised and support the allocation of Land at Old Barn Farm within the emerging Local Plan:
- Delivery of community and infrastructure elements that are deficient in and around the settlement of Edenbridge. Most notably a care home and community hub, which have been identified in the emerging Neighbourhood Plan as much needed elements.
 - Inclusion of land that can be utilised for other community uses and identified deficiencies (such for the provision of land for overnight visitor accommodation and the provision of a doctors surgery on the Site).
 - The provision of a Country Park and green space on 75% of the development will allow for greater use of the Green Belt by the residents of Edenbridge, enhancing recreation and wellbeing as encouraged in National Planning Policy.
 - The provision of new planting across the site to reflect the historic hedgerow layout and site boundary definitions will enhance the biodiversity of the Site and assist in preserving the historic interest of the southern part of Edenbridge.
 - Creation of a firmly defined southern boundary, will help formalise the southern edge of Edenbridge and ensure that the countryside is protected from further encroachment.
- 5.13. Allocation of the Site will also deliver the benefit of enabling SDC to be closer to meeting its housing target. If no Exceptional Circumstances sites were to be considered, SDC would only be able to achieve delivery of approximately 6,500 units, which is below 50% of their housing target. Notwithstanding this, the current strategy contained in the Draft Local Plan which includes all identified Exceptional Circumstances sites, still will fall short of meeting the full objectively assessed housing needs for the District. The strategy therefore must be updated to accord with the NPPF Revision.
- 5.14. Overall the development of land at Old Barn Farm presents an excellent opportunity for both the delivery of housing and community infrastructure to Edenbridge, which given the established needs in the community and the lack of housing land supply for the District is an Exceptional Circumstance.

6. Representations on the Emerging Local Plan

6.1. All policies that are considered relevant to the proposals are commented on below.

Policy 1 – A balanced Strategy for Growth in a Constrained District

6.2. The policy states that SDC will “*promote sustainable patterns of development by permitting development in the Green Belt only in 'exceptional circumstances', in the most sustainable locations where employment, key services and facilities and a range of transport options are or will be available. Sites will need to provide social and community infrastructure in addition to housing, to help address evidenced infrastructure needs in the area.*”

6.3. Whilst this is quite a broad statement, the utilisation of Exceptional Circumstances to allow sites to be examined for potential removal from the Green Belt and included as allocations in the emerging Local Plan is supported. In the absence of a defined national standard, the defining of Exceptional Circumstances as being ones that will deliver needed infrastructure and community benefits is also supported. Greater clarity on how this will be assessed and the criteria against which it will be judged in the formation of the Emerging Plan would be welcomed.

6.4. This representation has clearly demonstrated that Exceptional Circumstances exist to warrant the release of the site from the Green Belt as part of the Local Plan process. The site should therefore be included and recognised by SDC as an allocation.

Policy 2 – Housing and Mixed Use Site Allocations

6.5. As outlined earlier in Section 3, SDC have a current identified housing need of 698dpa (or 13,960 dwellings over the Plan period) when the Government’s standard methodology is used to calculate housing need. SDC has sought to utilise this figure in the preparation of the emerging Local Plan, however the draft allocated sites in the emerging Plan fall short of providing for this housing requirement. As outlined above, when the minimum of a 5% buffer is applied in line with the NPPF Revision, so as to ensure choice and competition in the market, the required number of homes over the Plan period rises to 14,658. The Plan does not address this identified need and should therefore include more suitable sites in order to ensure the full objectively assessed need for housing can be met over the plan period.

6.6. In this regard, it has been identified that any unmet need cannot be addressed by neighbouring authorities, albeit this is not made clear in the current (2017) version of the Statement of Common Ground and only mentioned within the draft Plan itself.

6.7. Given at this stage it is by no means certain that all of the Green Belt Exceptional Circumstances sites will be allocated, it is essential that additional sites are considered for allocation, that would enable the housing needs of the District to be, at least, met. Such targets are not a ceiling and therefore SDC should be considering these as a minimum to be provided, rather than a maximum to seek.

- 6.8. It is clear that the inclusion of further sites is essential to meeting housing needs of SDC. The release of Land at Old Barn Farm from the Green Belt provides an excellent opportunity to address the shortfall and ensure that all aspects of housing need, from market to affordable homes (as now defined by the NPPF Revision) are able to be sufficiently met within the District.
- 6.9. Land at Old Barn Farm and the proposed delivery of up to 300 new dwellings as part of a mixed use development will help to ensure that the current disparity between the required level of new housing and the prospective level achievable is reduced, and the chances of the Local Plan being found sound when submitted to the planning inspectorate increase.
- 6.10. As a result, the site allocations included in the draft Local Plan should be amended to include Land at Old Barn Farm to reflect the opportunity that it represents for a strategic allocation that would enable SDC to move closer towards meeting its identified housing needs. This would reflect the guidance provided at paragraph 72 of the NPPF Revision, which states:

“The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:

- a) consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential and the scope for net environmental gains;*
- b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;*
- c) set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;*
- d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations)³⁵; and*
- e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size.”*

Policy 3 – Landscape and Areas of Outstanding Natural Beauty

- 6.11. The policy approach set out on page 44 of the Draft Local Plan sets out that *“The landscape character of the District and Countryside will be conserved and the distinctive features that contribute to the special character will be protected and enhanced where possible”*. It states that enhancements may include *“restoring historic settlement patterns, historic field patterns or historic routeways; allowing new appropriate public access; restoration of native planting and natural features including trees, hedgerows, meadows and grassland.”*

- 6.12. This approach is supported, as the proposed development at Old Barn Farm will enable the reintroduction of historic field patterns to the south of Edenbridge as part of the proposed landscaping and Country Park. It will also allow new appropriate public access, and will reintroduce trees, hedgerows and meadows that are a feature of the wider countryside but which have been lost through the farming operations of the land.

Policy 4 – Development in the Green Belt

- 6.13. The policy for development in the Green Belt now only addresses “*Extensions and replacement buildings in the Green Belt*”, “*Basements in buildings in the Green Belt*”, and “*Dwellings permitted as rural Exceptions in the Green Belt*”.
- 6.14. In such circumstances where there is an absence of Local Policy on an issue, National Policy will be directly referred to. Whilst the NPPF Revision states that an exception to the resistance of new buildings in the Green Belt is for outdoor recreation, the policies in the Draft Local Plan would greatly benefit from allowing scope for proposals that actively enhance the Green Belt and encourage the use of Green Belt land, in conjunction with ensuring that it remains open. The proposed development seeks land to be released from the Green Belt through exceptional circumstances, but also for the retention of a large part of the Site within the Green Belt and allocation as a Country Park.

Policy 6 – Safeguarding Places for Wildlife and Nature.

- 6.15. With regard to wildlife and nature, the proposed policy states that when considering new development, the retention of existing features and existing blue / green infrastructure is sought. This stance is supported, as is the inclusion of relevant new habitat and biodiversity features in accordance with the advice of an ecologist.
- 6.16. The proposed Development at Old Barn Farm would enhance the offering for wildlife and nature in this location, as it has been identified as having a low biodiversity score in the Biodiversity Analysis report prepared as part of the Local Plan evidence base. The proposed Country Park would create enhanced opportunities for residents of Edenbridge and the wider community to actively engage with the blue-green corridors that exist within the District.

Policy 7 – Transport and Infrastructure

- 6.17. Policy 7 states that “*the development of infrastructure facilities required to resolve existing deficiencies will be supported, in relation to the scale and distribution of development proposed in the Local Plan.*”
- 6.18. This stance is supported, as the development of land at Old Barn Farm will allow for the delivery of social and community infrastructure that will meet a recognised and identified need.

- 6.19. However, whilst it is understood that the Infrastructure Delivery Plan is a 'live' document and subject to change, the Infrastructure Delivery Plan should be updated and included within the online evidence base which is stated to be the evidence base upon which the Plan is based. Most notably it should be updated to show the infrastructure benefits that would arise from the inclusion of land at Old Barn Farm in the process.
- 6.20. As set out in Section 4 of these representations, the infrastructure benefits forming part of the scheme will directly benefit existing and future residents of Edenbridge as a whole, not just those who will reside on the Site. The provision of social, physical and green infrastructure will assist in boosting the health and wellbeing of Edenbridge residents, with 75% of the Site being a Country Park or open green space. This will enhance the ability of people to interact with the Green Belt and natural environment more generally, whilst establishing green infrastructure that encourages public use in the long term.

Policy 12 – Housing Density

- 6.21. The Local Plan has been prepared through utilising an approach towards housing land that seeks to increase density and develop brownfield land first. However in policy 12 it states that "*All new housing development will be expected to make the most efficient use of land*" and states that densities upwards of 60dph will be expected. This is not a specific standard and is open to interpretation. In fact, the policy then goes on to state that density of development should be at least equivalent to that in the surrounding area, with no unacceptable impact on local character.
- 6.22. This policy is supported, in so far as it allows for the proposed development to match that of the existing urban fabric and to ensure that the most efficient use of land is made in accordance with the NPPF Revision. There will be instances when a higher density of development will be more appropriate and SDC should consider setting density requirements for certain areas of the district to reflect this. However, it is fully recognised that the introduction of a markedly denser urban form of development on the proposal Site, in comparison to that currently proposed (30dph) would lead to a development that may not necessarily reflect its setting or reflect the landscape led principles that have been applied to the scheme.

7. Additional Observations on the Evidence Base

Duty to Cooperate

- 7.1. The Duty to Cooperate Statement was prepared to support the first consultation on the Local Plan held in 2017 (Issues and Options). A new statement has not been prepared for this iteration of the Plan. The Duty to Cooperate Statement sets out that SDC is struggling to meet its identified needs, notably for housing, and will not be able to assist in meeting those of other Districts or Borough's in the region.
- 7.2. This position is reaffirmed in the emerging Local Plan paragraph 1.8 which states that *"to date, none of these discussions or processes have led to any authorities being able to assist Sevenoaks with unmet need."*
- 7.3. However, it cannot be overlooked that the five year housing land supply statistics of SDC and all nearby Local Authorities show that there are no authorities with a five year housing land supply in place. There is a chronic under supply in the region and a pressing need for housing to be delivered.
- 7.4. Given this position on unmet need, the release of greenfield Green Belt sites that will enable SDC to achieve their required housing target as calculated by the standard methodology is a necessity. Not only will it help SDC to meet their need, but it will also boost the housing supply of an area that has failed to deliver the required volume of housing and does not currently have the land supply in place to do so.
- 7.5. SDC needs to be sure that it updates the duty to cooperate statement further as part of the Plan making Process. The NPPF Revision is clear that this is an integral part of the process, and required to ensure that plan is positively prepared, justified and ultimately can be found sound at examination (see paragraphs 24 to 30 and 35 of the NPPF Revision).

Sustainability Appraisal

- 7.6. As the proposal Site was first submitted to SDC in the Spring of 2018, it has not been assessed in the Sustainability Appraisal. Savills and Miller Homes therefore reserve the right to comment on the future iterations of the Sustainability Appraisal as appropriate and as applicable to the land at Old Barn Farm, during the next consultations on the emerging Local Plan.

8. Conclusion

8.1. These representations have been prepared on behalf of Miller Homes and are prepared in light of the Old Barn Farm, Mill Road, Edenbridge which provides the opportunity for delivery of a residential-led scheme providing:

- A Country Park
- A Community Hub
- C2 residential care
- Land for further community uses such as a doctors surgery
- Possibility for future hotel provision
- Up to 300 new homes.

8.2. The Exceptional Circumstances advocated for the Site are:

- There is an insufficient supply of previously developed sites within the district to deliver much needed housing without the release of Green Belt sites;
- The proposal will deliver essential social and community benefits along with much needed new homes;
- The development of the Site will allow for enhanced use of the Green Belt by the residents of Edenbridge from a recreational and wellbeing perspective;
- Enhancement of biodiversity and provision of new planting to reflect historic hedgerows and site definitions, assisting in preserving the historic interest of the southern part of Edenbridge.

8.3. The NPPF Revision requires a positive approach to Plan making, and best, most efficient use of land. The utilisation of the Site to provide much needed new homes, in addition to a range of community facilities and a large country park encapsulates an approach that is both positive in plan making terms and making the best use of the land.

8.4. The positive approach results in a need for resilient plan making, one that is responsive to rapid change and to economic circumstances. The failure of the Local Plan to fully address housing need and provide a level of flexibility at this early stage of the Plan making process means that at present the Regulation 18 Draft Local Plan can be said to not be positively prepared and fails the basic test of soundness.

8.5. In this regard, it is considered that the principal shortcomings are:

8.6. The Plan is Not Positively Prepared: The Plan does not account for the entirety of the housing need that has been identified when utilising the Government's standard methodology . Therefore, at the very least, the Site should be allocated in the Local Plan as a site that will be considered for further examination with regard to the demonstration of Exceptional Circumstances. The evidence base shows that additional housing sites within settlement boundaries on previously developed land are not available, and in accordance with the NPPF Revision the Site should therefore be considered for an allocation.

- 8.7. Justified: There is significant evidence to support and justify the inclusion of Land at Old Barn Farm as a site allocation in the emerging Local Plan. The Site will help SDC close the already existing gap in the supply of housing within the District. The Site is available and suitable, as demonstrated in this representation. It will deliver much needed social and infrastructure benefits to the existing and future community of Edenbridge. It will enhance the biodiversity of the area, reinstate historic field patterns, and through the creation of a Country Park will enhance the use of the Green Belt in this part of the District. Furthermore, whilst SDC states in the Draft Local Plan that it has engaged with the neighbouring authorities, the Duty to Cooperate statement has not been updated since 2017 and therefore there is insufficient evidence to justify the Plan in its current form.
- 8.8. Effective: The Plan at present does not supply sufficient housing provision. Additionally, all of the sites that have thus far been promoted as being 'Exceptional Circumstances sites' are yet to be tested fully to see if they merit such a distinction. There are insufficient contingencies if any of the sites, upon closer examination, are found to not have Exceptional Circumstances exist. The current deficit in housing supply means that the Draft Local Plan is not robust, as it will not meet the identified need of the District. Inclusion of Old Barn Farm will help to make the Draft Local Plan more robust and provide more of a contingency which is required in accordance with the NPPF Revision.
- 8.9. Consistent with National Policy: The exploration of Exceptional Circumstances cases is consistent with National Policy, however, the failure to address the identified need, whether through the Exceptional Circumstances cases or not, does not comply with national policy requirements.
- 8.10. Savills and Miller Homes reserve the right to comment further on future iterations of the emerging Plan and its evidence base, in relation to the Land at Old Barn Farm, which as demonstrated in this representation should form an additional allocation in the Emerging Local Plan.



Appendices



Appendix 1.0 Development Framework Plan



Appendix 2.0 Davies Landscape Architects Landscape and Visual Baseline Appraisal



Appendix 3.0 Cannon Consulting Engineers Flooding and Drainage Report

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